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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional):

4015-5117/P12545-US1

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

Date: **September 29, 2006**

Signature:

Typed or printed name: **KATHLEEN KOPPEN**

Application Number:

09/828,864

Filed:

April 10, 2001

First Named Inventor:

Carlsson

Art Unit:

2616

Examiner:

CHUONG T. HO

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor

☐ assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.

(Form PTO/SB/96)

☒ attorney or agent of record

Registration Number: _____

☐ attorney or agent acting under 37 CFR 1.34.

Registration Number if acting under 37 CFR 1.34 _____

Signature

David E. Bennett

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Telephone Number

September 29, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ form(s) is/are submitted.

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * Applicant's unique citation designation number (optional). * Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Carlsson

Serial No.: **09/828,864**

Filed: **April 10, 2001**

For: **Wireless Network Architecture for GPRS
Over 30kHz Channels**

Docket No: **4015-5117**

PATENT PENDING

Examiner: Chuong T. Ho

Group Art Unit: 2616

Confirmation No.:6952

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September 29, 2006

Date

Kathleen Koppen

Kathleen Koppen

This correspondence is being:

- ☒ electronically submitted via EFS-Web

ARGUMENTS PRESENTED FOR PRE-APPEAL BRIEF REQUEST FOR REVIEW

Applicants' invention relates to an interworking function connected between a conventional TDMA network according to the TIA/EIA-136 standard, and a GPRS network to permit packet data services using circuit-switched channels in the TIA/EIA-136 network. The invention is advantageous to service providers that want to provide packet data services to their customers. In areas where there is a high demand for packet data services, the service provider may invest in a GPRS infrastructure to provide packet data services over a 200 kHz frequency channel. However, there may be some areas where the demand for packet data services does not warrant the investment in additional infrastructure. In this case, the interworking function allows packet data to be routed between the GPRS network and the

mobile station via the circuit-switched network and transmitted to the mobile station over a conventional circuit-switched channel.

The Examiner has rejected claims 47 and 51 as being anticipated by Mooney (U.S. Patent No. 6,577,723). Mooney discloses a communication system comprising both a circuit-switched network and packet-switched network. The problem addressed by Mooney is how to route signaling messages to a home location register when the mobile station has only a single mobile directory number (MDN). Conventionally, location requests are routed to the home location register based on the MDN of the mobile station. However, the conventional routing method does not work where the circuit-switched network and packet-switched network have different home location registers. Mooney solves this problem by routing messages based on the type of the upper layer protocol employed in the SCCP message.

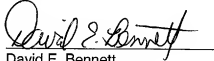
Mooney does not disclose an interworking function as recited in claim 1. In fact, there is no interworking at all between the circuit-switched network and packet-switched network in Mooney. In Mooney, both networks connect to a common signaling network. However, there is no mechanism for routing packet data between the circuit-switched and packet-switched networks. In fact, Mooney fails to disclose any mechanism whatsoever for routing packet data to a mobile station operating in the circuit-switched network.

Claims 47 and 51 both recite a teleservice server for transferring packet data to and from a mobile station operating in a circuit-switched network, such as a TIA/EIA-136 network. Because the system of Mooney does not allow routing of packet data between the circuit-switched and packet-switched networks, Mooney does not anticipate claims 47 and 56. The rejections of the dependent claims under 35 U.S.C. § 103 fail for the same reasons.

For the foregoing reasons, the PTO is respectfully requested to withdraw the rejection of the claims.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

A handwritten signature in black ink, appearing to read "David E. Bennett", is written over a horizontal line.

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Dated: September 29, 2006

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